Drug Prohibition Has Destroyed American Freedom

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One of the most fascinating aspects of life in America is the fact that so many Americans are convinced that they live in a free society. I suppose this shouldn't surprise us given that most Americans are products of America's public (i.e., government) school systems. That's, of course, where the indoctrination begins. From the first grade on up and then for the next 12 years, Americans are inculcated with the notion that they live in a free society. Their mindsets are reflected in the words of the song by Lee Greenwood, "And I'm proud to be an American where at least I know I'm free."

One of the best proofs that such Americans are living the life of the lie is with respect to the drug war — the federal government program that is now being used to justify the military killing of people on the high seas who are suspected of violating U.S. drug laws. There is no reasonable way for anyone who lives under the drug-prohibition policy of the U.S. government can honestly be considered to be living in a free society.

Let's examine some reasons why.

1. As we have seen in the Caribbean, the drug war enables the president and his national-security establishment to kill people who are simply suspected of violating U.S. drug laws. No indictment, arrest, prosecution, conviction, or sentencing. Just killing. At the risk of belaboring the obvious, the power to kill people who are suspected of violating U.S. drug laws is about as anti-freedom as a government policy can be. As we have seen, all that the president and his military forces have to do is label the victims "terrorists" or "enemy combatants" and that then triggers their omnipotent power to kill.

Americans who are convinced that they live in a free society might be tempted to also convince themselves that this omnipotent power to kill is limited only to foreigners. Not so. As we learned after the 9/11 attacks, the "war on terrorism" is a global war, which means it also encompasses the domestic United States. That is why the federal courts have held that the U.S. national-security establishment wields the power to torture Americans within military prison camps here inside the United States. It's also why the federal courts have upheld the power of the national-security establishment to assassinate Americans.

The important point is this: No one can count on the federal courts to stop the exercise of this omnipotent power — and it would be difficult to find a better example of an omnipotent power than the power to kill someone for violating criminal statutes without a following a formal judicial process. That's because when it comes to deciding whether a suspect is a "terrorist" or a threat to "national security," it is the president and the national-security establishment that make the final decision. The federal courts have made it perfectly clear that they lack the jurisdiction to second-guess the president, the Pentagon, the CIA, and the NSA with respect to matters relating to the protection of "national security."

So, we can count out the judicial branch as an obstacle to the exercise of this totalitarian anti-freedom power. It's probably worth pointing out that government officials in countries like Russia, Saudi Arabia, Egypt, North Korea, China, and Cuba also wield the omnipotent power to kill their citizens without due process of law.

What about Congress? Theoretically, under the Constitution it has the power to impeach the president for the commission of what the Constitution calls "high crimes." But given the fact that the Republican Party controls both houses of Congress, the chance of that ever happening is virtually non-existent.

Someone might well respond, "Jacob, the power to kill is only being exercised against foreigners, not against Americans." That's true. For now. But no one knows what new "national emergency" might be right around the corner, especially given the national-security establishment's masterful ability to concoct new "national emergencies." After all, look at what is happening with respect to Venezuela. Six months ago, there wasn't a military crisis there. Today, there is. That's because U.S. officials have incited that crisis.

Moreover, keep in mind that a free society is not determined by whether an omnipotent power is being exercised but rather by whether it is being wielded.

2. Drug laws themselves are themselves a grave violation of the principles of a genuinely free society. Under basic principles of liberty, a person has the right to ingest whatever he wants to ingest, even if it is harmful, unhealthy, or destructive. When a government wields the power to punish a person for ingesting a substance that the government hasn't approved, that is most definitely not a free society, even if the vast majority of people have convinced themselves that it is a free society. It is instead a society in which the government is the master and the citizen is the servant or serf.

3. Drug prohibition has been used to destroy other freedoms, such as civil liberties and privacy. Coming to mind are such measures as asset-forfeiture laws, no-knock raids, warrantless searches and seizures, racist enforcement, mandatory-minimum sentences, laws and regulations that violate financial privacy and bank secrecy, money-laundering laws, and others.

Finally, it's worth pointing out the obvious: Drug laws do not ever achieve their purported goal of a drug-free society. Instead, the violence that drug prohibition produces, especially with black (i.e., illegal) markets, is used as the justification for "cracking down" even more harshly, thereby making the war on drugs a perpetual government program, one that has destroyed the freedom of the American people, even if they don't realize it.

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